THE N°. 161.

MARYLAND GAZETTE,

Containing the freſheſt Advices, Foreign and Domeſtic.

WEDNESDAY, *June* 1, 1748.

PETERSBURGH, February 28.

WE have received Advice that the Knees Repnia is arrived at Mittau, and was upon the point of entering Lithuania with the ſecond column of auxiliaries. The empreſs has granted this general 18000 rubles per annum, during his command of thoſe troops. General baron Bretlach, ambaſſador from the court of Vienna, has notified to the court, that the empreſs queen, having reſolved to join a body of her troops to the Ruſſian auxiliaries, had honoured him with the command; and that the orders he had received on that ſubject would oblige him ſoon to depart for Germany. The princes Schaffoſki and Tritbetſkoy, the young prince de Kourakin (only ſon of the grand chamberlain) and the three ſons of the late feldt-marſhal prince de Galiezin, all officers of the guard, and many other young noblemen and officers, have obtain'd her imperial majeſty's permiſſion to make the campaign, in quality of volunteers, in the Low Countries.

Hamburgh, March 15. The following letter has been received here from a German officer employ'd in the Ruſſian auxiliary corps, dated at Kycydany in Samogitia, five German miles from Knowna, the 28th of February.

"This comes by the way of Koningſberg and Dantzick, to inform you, that two regiments of our van guard arrived yeſterday at this Place. If ever march was painful and difficult, ours muſt be juſtly deem'd ſo: We have hitherto ſeen nothing but roads near impaſſable, by a prodigious depth of ſnow, beſides the ſevere froſts common in this climate and ſeaſon. But all this would be ſupportable, had we any thing to cover us in the night; on the contrary we laid in the ſnow the laſt three ſucceeding nights. All that we could do was to ſend our Coſaques in ſearch of wood, with which we made as great Fires as poſſible. To-morrow we ſhall continue our march from hence, to make room for others. We ſhall take the route of Willeja, and have already ſent a detachment before to mark out the road, and place picquets at certain diſtances with pine-branches. The ways have been ſo bad, that we have for many days together not marched above two German miles, the horſes and carriages almoſt every minute being ſet faſt in the ſnow and ice. The Jews have brought us proviſions in many places, but make ſuch advantage of our need, that for ſome of their commodities they have nearly received their weight in gold. We all pray to be relieved as ſoon as poſſible from our preſent embarraſment, and therefore ſhall neglect no opportunity of purſuing the march, in order to arrive at the place of our deſtination; which will be ſome time firſt, if it be judged of by the ſlowneſs of our pace hitherto; ſince we arrived the 16th at the firſt village on the Poliſh territories, and from that time have not advanced twenty five German miles. We hope ſoon, however, to move with more eaſe and advantage, &c. &c.

Antwerp, March 19. We have begun to proceed, by way of military execution, againſt thoſe who have neglected to pay the capitation tax impoſed by the King's orders. We expect every day from Bruſſels, Ghent, and Dendermonde, a convoy of proviſions and ammunition. Troops arrive here daily, as well as in the neighbourhood of Mechlin, Louvain, &c. and we learn from Dunkirk, that the Iriſh and Scotch regiments which were quarter'd along the coaſt are in march. An expreſs is juſt paſs'd thro' this city, going to the Hague with diſpatches from the court of Spain, ſaid to be of great importance.

Amſterdam, March 21. The account of admiral Schryver's falling in with a French fleet, is reduced to one ſhip taken by him, which, with ſome Engliſh prizes, has been ſent into Plymouth.

Hague, March 8. Major General Haddick aſſembled a few Days ago a great Number of Waggons, and carried off about 550 Bomb-ſhells, and 600 twenty-four Pound Balls from the Glacis of Bergen-op-Zoom, without the Loſs of a Man, tho' the Ramparts were all lighted, and the Garriſon under Arms in Expectation of a Surprize.

Hague, March 12. His royal highneſs the Duke of Cumberland arrived here, in perfect health, on ſaturday evening. The four plenipotentiaries of the ſtate took their leave of their High Mightineſſes laſt friday, and are now upon the road for Aix la Chapelle.

Hague, March 15. This day the council of ſtate preſented a petition to the States-General for the ſum of 1,700,000 florins for the ſubſiſtance of the Ruſſian troops. Count Chavanne left this place yeſterday, in order to repair to Aix la Chapelle.

An extract of a letter from a foreign miniſter at the Hague, dated March 12.

"It is impoſſible to tell exactly when the conferences at Aix la Chapelle will be opened, it being an inconteſtable fact, that none of the powers in war have yet agreed upon any of the principal articles which are to be the baſis of a general peace. There are, on the contrary, more machinations and contrivances on foot than ever; each party is labouring to detach an ally from the adverſe ſide by means of a ſeparate peace. France and Spain, who are in a great degree purſuing the ſame views, are not leſs diſtruſtful of one another, than if they were on contrary parties. Theſe two crowns, together with that of Great Britain, make offers to each other which appear general, but which in reality are intended to procure a ſeparate peace, either between England and Spain, or between the former and France. If either of theſe ſchemes can be accompliſhed, the contractors may boaſt of having gained as extraordinary a poiſe as even his Pruſſian majeſty, and may be under little anxiety about the conſequences of the war.

As it will not be poſſible, at preſent eſpecially, to bring about an accommodation, either ſeparate or general, unleſs the Auſtrian ſucceſſion forms the baſe of it; it has been remarked, that in all the conferences which have been held at Verſailles, it has ſcarce ever been moved to make any propoſitions to the court of Vienna, in order to draw the empreſs queen to a ſeparate peace. It is very true, that France and Spain conceived an idea of this about two months ago, and ſome plans were drawn up relating thereto, which were ſent from Paris to Madrid; but after a thorough examination thereof, the thing was look'd upon as impracticable, for divers important reaſons, three of which we are aſſured are as follow: 1ſt, Becauſe it was apprehended that his Pruſſian majeſty would have taken umbrage, and entertained ſome jealouſy at ſuch a proceeding; and it conſequently might have been a means of uniting that monarch with the houſe of Auſtria, and of putting them both upon turning their forces againſt France and Spain. 2dly, The entering into theſe meaſures would not have reimburſed France and Spain the expences of a freſh war, which this would probably have occaſioned; neither would it have ſecured the conqueſts which his moſt chriſtian majeſty has made in the Low Countries, nor procure an eſtabliſhment for Don Philip. And, 3dly, As it was propoſed by this plan entirely to abrogate the treaty of Worms, and only to reſtore the dutchy of Savoy to the king of Sardinia, it was preſumed that for the ſake of the ſubſidies which that prince would receive from Great Britain, he would adhere ſtill more firmly to the party he is engaged in, and would perhaps be better enabled to make a powerful diverſion in Provence, which the Genoeſe, it's believ'd, will never be powerful enough to prevent."

Paris, March 13. We expect the campaign in Flanders to open very ſoon, and that it will begin with a battle, the event of which will greatly alter the negotiations of the congreſs.

Paris, March 15. Count St. Severin took leave of his majeſty yeſterday, being immediately to ſet out for Aix la Chapelle.

Hague, March 24. They write from Aix la Chapelle, that count Caunitz Ritberg, the earl of Sandwich, count Bentick, and mynheer Haſſelaer are arrived there; and as the other miniſters are expected ſoon, 'tis thought the congreſs will be open'd ſhortly.

LONDON,

LONDON,

March 1. We are well inform'd, that ſeveral new kinds of lawns, and other manufactures, of a fabrick equally beautiful, and much preferable for ſtrength, to French cambricks, have been lately made in Great Britain and Ireland, and will be introduced as ſoon as the act for prohibiting that expenſive and deſtructive manufacture takes place; nor is it to be doubted that, in the ſpace of a few years, with the help of a little encouragement, we ſhall ſurmount all the obſtacles in the linnen manufactury, and arrive at as great perfection, in all its branches, as can be deſired.

They write from Venice, that the duke of modena arrived lately there, but did not appear often abroad, which was aſcribed to various cauſes. It has been alſo obſerved, that his ſerene highneſs does not viſit the French and Spaniſh miniſters as uſual, which is ſaid to be owing to ſome diſguſt he has taken on account of the difficulties raiſed about precedency, merely to hinder his paſſing the winter at Paris, and the refuſal he has met with in reference to an additional ſubſidy, which he had demanded from the court of Madrid, under colour of raiſing a certain number of men for the ſervice of the two crowns in Italy.

March 9. The Fanny, Murray, from Maryland for London, is retaken from the enemy.

March 10. The Gale, Murray, from Maryland for London, is retaken by the Scarborough man of war, and ſent into Portſmouth.

Two rich French ſhips from the Levant, are carried into Leghorn by an engliſh man of war.

March 11. We hear from Plymouth, that by a cartel ſhip arrived there in one day from St. Maloes, they have an account, that when the ſaid ſhip came away the merchants were in the greateſt conſternation about their privateers; for of twelve that ſail'd from thence only four are returned, tho' the time of their cruizing was expired; they were therefore apprehenſive that they had fallen into the hands of ſir Peter Warren.

Yeſterday the agreeable news came, that the Hardy, Dodſworth, from Leghorn, with a cargo valued at 30,000 l. was arrived at Dartmouth.

Yeſterday there was advice from Portſmouth, that one of the French Eaſt-India ſhips, taken by lord Anſon, and ſir Peter Warren, in May laſt, called the Modeſte, is burnt by accident in that harbour.

Laſt week the right hon. the lord Anſon was married to miſs York, daughter of the lord high chancellor of Great Britain.

March 16. The St. Joſeph, the Virginite Montinero, and the Madona del Montinero, three French ſhips from the Levant, all bound to Marſeilles, are carried into Leghorn. Two ſhips bound from Barbary to Marſeilles, are taken by two Engliſh men of war, and ſent into Cagliari. A Swediſh ſhip, from London to Leghorn, is carried into Toulon. The Holy Trinity, Faruculi, from Zant to London, is carried into Algiers.

March 12. Yeſterday being the birth-day of prince Edward, who then enter'd into the ninth year of his age, their royal highneſſes the prince and princeſs of Wales received the compliments of the nobility and gentry at Leiceſter houſe on that occaſion.

On thurſday evening his excellency prince Czernichow, ambaſſador from the empreſs of Ruſſia, was choſen a member of the royal ſociety; as was alſo George Scott, Eſq; maſter of arts of St. John's College, Oxon.

On ſunday night arrived a mail from Liſbon, brought by the King George Packet Boat, Capt. Brown, in fourteen days paſſage, where he left his majeſty's ſhips Ruſſel, Diamond, Dunkirk, Prince Henry, Glorioſo Prize, and Jamaica ſloop, with the Marlborough and Saliſbury Indiamen, and five ſhips from Rio Janeiro, which arrived the 25th of February.

The two Indiamen above-mentioned arrived at Liſbon the 14th of January, and bring an account, that commodore Pawlet, with two more men of war, with the Colcheſter, Wood, the Winchelſea, Baron, the Cæſar, Court, and the Eſcourt, Benſon, had been at St. Auguſtine's bay, and were ſail'd for Bengal; and that the Heathcote, capt. Cape, was loſt in the gulph of Mocha, and Mr. Dickenſon the chief mate, and 17 of the crew, periſhed. The Kent, Robinſon, from Madraſs and Bengal, was parted with off the cape, ſo that it is thought ſhe is gone for Ireland; and the Britannia, Somner, whom they parted with a ſmall time before, was off the bar of Liſbon, with pilots on board.

We hear a ſubſcription is raiſing by the gentlemen in Lincolnſhire for the benefit of the poor farmers and graziers, who have ſuffered by the loſs of their cattle in that county.

Yeſterday morning, about one o'clock, a fire broke out in the workſhop of Mrs. Oliver, Hornmaker, in Montagu-ſtreet, Whitechapel, which burnt the ſame, & goods to the amount of ſeveral hundred pounds. It's thought that the ſame was wilfully ſet on fire, there not having been any fire therein for three days.

Laſt friday the Glouceſter man of war arrived from a cruize, being very leaky. She ſpoke with the Henrietta, of and for London from Virginia, who had thrown over-board part of her cargo, and loſt her rudder.

March 18. The True-Blue privateer, Chip, has carried into Cork a large French ſhip bound to Martineco.

Ships arrived from Virginia: at Graveſend, March 8th, the Ruby, Gordon; the Happy Return, Davidſon, and the Sarah, Read: At Dover, the Frederick, Chilton: At Whitehaven, the Mazarine, Dixon; and the Sally, Wylie: At Swanzy, Feb. 25. the Henrietta, Henderſon: At Dundee, the St. Paul, Wragg: At Baltimore, the Gildart, Holme: and the Content, Chapman.

Ships arrived from Maryland: At Dover, the Duke of Cumberland, Hamilton: At Plymouth, March 4th, the Archibald, Crawford: At Biddeford, the Mary and Elizabeth, Harding.

Ships ſailed from Portſmouth, March 16. The Adventure, Bern; the Virginia Packet, Dobbins; the Berwick, Whiting; the Grimes, Hunter; the Adventure, Blandy; the Cumberland, Donaldſon; the Hatley, Hill; and the Boyd, Campbell; all for Virginia.

The Jenny, Watſon; the Groomy, Hunter; the Happy Jennet, Wilcox; the Neptune, Grindal; the Baltimore, Antell; the Eaſtern Branch, Chevalier; the Dove, Appleton; the Hannah, Evers; the Speedwell, Creagh; and the William, Wood; all for Maryland.

Moſt of the fire-ſhips in his majeſty's ſervice are ordered to be converted into ſloops of war, as ſoon as poſſible, which are to compoſe a fleet for channel ſervice.

It is ſaid the firſt of May is fixed for the departure of his majeſty to Flanders.

Charles Howard, Eſq; lieutenant general of his majeſty's forces, is appointed colonel of the third regiment of dragoon guards, in the room of field-marſhal Wade, deceas'd.

March 19. Private letters by yeſterday's Dutch mail adviſe, that an embargo is laid on all their ſhips in the ſeveral ports belonging to the Dutch, in order to man a number of men of war.

March 24. There is an account from St. Maloes, that 8 French men of war were ſail'd from Breſt, in order, as ſuppoſed, to meet their Martineco fleet, daily expected home.

There is advice from India by the way of Liſbon, that one of the French country ſhips, valued at near 20,000 l. has been taken by the Engliſh.

Letters from Genoa very much exaggerate the loſs of the Auſtrians and Piedmonteſe, in the late attempt on Voltri, making it amount to 600 men left dead on the field, 80 priſoners, and 200 deſerters, who took that opportunity to go over to the enemy.

It is ſaid there is advice come, that the Sheerneſs man of war has taken a very rich prize.

Glaſgow March 7. We hear from Dublin, that laſt Week, died at Roſs in the County of Wexford, James Rogers, aged about 31 Years, of ſuch prodigious Bulk, that tho' four Men and a Woman lay in his Coffin with Eaſe and the Lid on them, they were forced to open and take ſix Stone of Fat from him, before they could put him in. A little before his Death he threw off his Stomach above 21 Quarts of Blood.

BOSTON, *May* 16.

Tueſday laſt Capt. Coleman arrived here from Liſbon. He came out in company with capt. Darricott, in a large Ship of Force, and 2 Veſſels, all bound to this Port, and three days after capt. Darricott's Ship ſuddenly ſprung a Leak and ſunder'd. Capt. Colman took the People on board his Veſſel, with a ſmall Quantity of Proviſions, and ſoon after meeting with Capt. Green, (who came out with him) he put ſome of the People on board him, and they are all now arrived.

Laſt Wedneſday Morning was launched here, his Majeſty's Ship Boſton, of 600 Tons and 30 Guns, built by Mr. Benjamin Hallowell. She is allowed by good Judges to be as compleat a Veſſel as ever was built in America, and no Ways inferiour to thoſe built in his Majeſty's Yard at home.

About a Fortnight ago at Rocheſter, about 6 Miles above Dover in New-Hampſhire, one Mr. Hodgſon and his Wife going

going out at some Distance to look for their Cows which had stray'd, and not soon finding them he desired her to return Home, which she did; and tarrying a short Time she went out again to look after her Husband; but as she was crossing a Field, 6 or 7 Indians arose out of the Bushes, scis'd her and kill'd her with their Hatchets. Her Husband having heard her cry out, hasten'd to her Relief, and, seeing them scalping her, presented his Gun at them, which missing Fire, he took to his Heels and escap'd to the Garrison: A piece of Cannon being discharg'd to alarm the Towns adjacent, the Indians made off, leaving the dead Body cut in several Places with their Hatchets and a Handkerchief cram'd into her Mouth. The Woman was a Person well esteem'd, and has left 2 or 3 small Children. Her Corps was brought Home and decently inter'd.

We are also informed, that last Tuesday was sev'night Capt. Burns, with a Guard of 4 Men, going from the Garrison at Brunswick to forward some Letters hither, were fired upon by 10 Indians, and the said Captain and one of the Men were kill'd, another was taken Captive, and the other two escap'd.

And on Tuesday last a young Woman at Berwick, named Morrell going out at a small Distance from a House, was scis'd by some of the Enemy Indians, who barbarously kill'd her with their Hatchets, and then scalp'd her.

Yesterday arrived here Capt. Fones from London, but last from Portsmouth in 6 Weeks, by whom we have Advice.—That on the 25th of March about One in the Morning, a Fire broke out at one Mr. Eldridge's, a Perriwig Maker in Exchange Alley in Cornhill, which proved most terrible, about one hundred and twenty Houses being consum'd before it was extinguished, about twenty of which were in Cornhill, and the rest in Birchin Lane, Exchange Alley, George-Yard, and all the Avenues leading to them, notwithstanding all possible means were used to stop the Flames, there being upwards of fifty Engines, very well mann'd, and in general pretty well supplied with water. The London Assurance-Office; the George and Vulture; three Ton's; Swan and Fleece Taverns; and Tom's and the Rainbow Coffee Houses in Cornhill; Jonathan's and Garraway's in Exchange Alley, the Marine, Sword-Blade, and Pennsilvania Coffee-Houses in Birchin Lane; and a great Number of Offices belonging to Brokers and Insurers, besides Tradesmen's Houses, were all reduced to Ashes: and the Church of St. Michael, Cornhill, is very much damaged.——It is impossible to express the Consternation and Confusion of the Inhabitants, any more than to give a Computation of the Loss, as it was one of the richest spots in the City of London.—There are several Persons missing, and as it is very certain there were some People killed, it is to be feared they are among them.

We have also Advice, that the Russian Troops were arrived at Holland, the Place of their Destination.

That the Congress was met at Aix la Chapelle.

PHILADELPHIA, May 26.

Sunday last arrived here the Otter man of war, Capt. Ballet, in 7 weeks from Portsmouth, who is station'd here for the Protection of our Trade; so that we have reason to hope (particularly from the Character of the Commander) that our Coast will soon be clear'd of the Privateers now infesting it. Capt. Ballet came out with the Virginia Fleet, under Convoy of the Hector man of war, but parted with them about 600 leagues off. In his Passage about 300 leagues off, he met, and had a smart engagement with a very large ship for 4 Hours, and would have carried her had not night come on. He had one of his Hands kill'd, and 7 or 8 wounded.

By letters from London there is advice, that the Hon. James Hamilton, Esq; our Governor, is to embark for his Government some time this Summer. And,

By a letter from London, via Boston, we learn that the chief damage done by the Fire was in regard to the buildings, for that all the most valuable effects of the Inhabitants, with the books of accounts, &c. of the Bankers and Merchants, had been saved: And the Ministry had dispatch'd an express to the Hague to certify the Truth of this, lest the French partizans should misrepresent the affair to the injury of our public credit.

The captain and People of the Providence Brig, mentioned in our last to be taken in the Bay, are come to Town, who were all stripped by the Frenchmen of every thing they had that was valuable.

Tuesday last arrived here the sloop Three Brothers, from Providence. She was taken the 17th Instant, just off the False Cape, by the French Privateer mentioned in our last, formerly the Clinton of New York, who had near 30 English Prisoners on board, taken out of three English Vessels on this Coast; among others, Capt. Burk, and his crew, late of the Brigt. Richs, who sailed hence for London about two weeks since. The French at first took all the People out of the Three Brothers on board the Privateer, except George Porteous, who was one of her owners, his Wife, his Son, and an old man, and put three French Sailors into her, with orders to proceed to the Capes of Delaware, where the Privateer was then going. It coming to blow hard, they lost sight of the Privateer, on which Porteous took the Helm, and brought the Vessel into the Capes, and with the help of the old Man and Boy, overcame the Frenchmen, took in a Pilot at Lewes, and brought up the Vessel with the three Frenchmen Prisoners. Porteous has deposed, that the Clinton had with her a French sloop, and a Spanish schooner, which he was informed were her Consorts.

Saturday last arrived here from a cruize, the Privateer Brig Tremblear, capt. Bowne, of this Place, and brought with him three Prizes, a ship and two Snows, bound for old France from Martinico, laden with Sugar, Coffee, Cotton, Cocoa, &c. reckoned very valuable. Capt. Bowne has in all taken 6 prizes during this cruize. He informs us that the Vessels in Martinico are block'd up by commodore Pocock, who with some of his Squadron cruize continually before that place: That sometimes they take the advantage of the night and come out, but commonly fall in with either the men of war or the English Privateers cruising that way.

Last night there was a report in Town that the enemy's Privateers were as high up as Bombay-Hook, and had taken two Shallops there.

WILLIAMSBURG, May 12.

Extract of a Letter from Madeira, dated April 13, 1748; which came by the Bobby, Capt. Loyal, who is arrived at Norfolk.

"We had here the 1st Inst. a little after Two in the Morning, a dreadful Earthquake, two or three Shocks of which "continued about a Minute: Some People were kill'd, many "Houses thrown down, and the Walls of all others crack'd "and split surprizingly; had it been repeated with the same "Violence, few of the Buildings would have been left standing."

May 19. Since our last his Majesty's Ship *Loo*, of 40 Guns, Capt. *Aubrey* Commander, arrived in *Hampton* Road, from *Jamaica*; and we hear is to stay to protect the Trade of this Coast, 'til the Return of the *Fowey*, or till he is reliev'd by some other Man of War.——There came with Capt. *Aubrey*, Capt. *Pearse*, (Son of Commissioner *Pearse*) who is going to *Boston*, to take the Command of a new Man of War, built there for his Majesty's Service.

ANNAPOLIS.

At the Provincial Court, which ended last Thursday, *William Appleby*, formerly mentioned, had his Trial and was acquitted.

Last Thursday Mr. *William Middleton* was elected a Representative for *Charles* County, in the room of Mr. *John Courts*, deceased. And on Monday he came to Town, and took his Seat in the House.

Last Monday about Noon, a Fire broke out in the House of Mr. *John Macubbin*, a few Miles from this City, which consumed the same, and almost all the Furniture, besides a considerable Quantity of Paper Money.

Yesterday an Express came to Town from *Philadelphia*, and proceeded on his Journey to *Williamsburg*: We hear his Business is, to get a Man of War to cruise off the Capes of *Delaware* for the Privateers which infest those Parts. We hear of several Vessels being taken by them, as high up as *Rock Island*. One of which is Capt. *Billings* from *Boston* for this Place, who was first chas'd into *Delaware*, and afterwards taken: We are likewise inform'd, that two other Vessels from *Boston* for *Maryland*, (whose Names we have not learn'd) were taken in the like Manner.

ADVERTISEMENTS.

ALL Persons indebted to the Estate of Col. *Adam Muir*, deceased, are desired to make speedy Payment, to prevent Trouble: And those who have any Demands on the said Estate, are desired to bring their Accounts that they may be adjusted, by THOMAS MUIR, Executor.

ERRATUM. On the last Page, for David Chalton, *read* Daniel Chalton.

To be SOLD for Bills of Exchange, whole Gold, Paper Currency, or good heavy Tobacco,

THE Lot and House in which his Excellency the Governor now resides; any Person inclining to Purchase the said Lot and House, may know the Terms of Sale of Mr. *John Brice* in *Annapolis*, or by Writing to the Subscriber at *Chester-Town*, in *Kent* County.

DAVID CREITON.

GOOD *West-India* Rum at 6/6 per Gallon by the Hogshead, or 7/6 by the single Gallon; Molasses at 3/6 by the Hogshead, or 4/ by the single Gallon, to be sold at Mr. *Evitt's*, in *Annapolis*, by

ALVAN HYATT.

TO BE SOLD for ready Money, or Bills of Exchange, The Houses and Lot in *Charles-Town*, (commonly called *Port-Tobacco*) belonging to the Subscriber, consisting in a Dwelling House of five Rooms, and other Out-Houses, with a Garden pal'd in; also a Malt-House of sixty Foot long, two Story high, with a Kiln adjoining to it; and is very well situated for a Brewer.

JOHN MUSGRITT.

RAN away, about the 9th of *April* last, from his Bail in *Cambridge*, in *Dorchester* County, one *James Shaw*, by Trade a Taylor; he is a Scotch Man born, is about 30 Years of Age, a very full fac'd well set Man: Had on when he went away a darkish Wig, a dark grey German Serge Coat, a white Broad Cloth Vest, double-breasted, and fac'd with black Velvet, a pair of red and a pair of stuff coloured Breeches.

N. B. He writes a very good Hand.

Whoever apprehends the said *James Shaw*, and secures him in any Goal, so that he may be delivered to the Subscribers, living in *Cambridge*, shall have *Five Pounds* Reward, and all reasonable Charges paid, by

JOHN CAILE, or
THOMAS STEWART.

TO be Sold by the Subscriber, Administrator of the late *Francis Mapp*, at the Plantation whereon Mr. *John Andrews* formerly liv'd, on Friday the third Day of *June* next, to the highest Bidder, for current Money, Several Negroes, Horses, Cattle, Hogs, and Sheep; some good Feather-Beds Pewter, and other Houshold Furniture: Also a Parcel of Plantation Utensils; and many other Things too tedious to mention. The Sale to begin at Ten o'Clock.

SAMUEL SMITH.

ALL Persons indebted to the Estate of *Francis Mapp*, lately deceased, are hereby desired to make Payment of their respective Debts: And all Persons who have any Claims against the said Estate, are desired to bring in their Accompts, that they may be adjusted, by

SAMUEL SMITH, Administrator.

Prince-William County in *Virginia*, *April* 11, 1748.

RUN away from the Subscriber, a Convict Servant Man, named *David Hughes*, alias *Lucklin*, by Trade a Blacksmith; he is a *Welshman*, about 5 Feet 6 Inches high, thick set and near 40 Years of Age; had on when he went away, a very good dark colour'd Drugget Coat and Jacket, with Mohair Buttons, Buck's Leather Breeches, and a Dowlas Shirt. He formerly belong'd to *Vincent Askin*, late of *Charles* County, in *Maryland*, deceas'd, and ran away from his Executors; he work'd a considerable Time at the *Eastern* Shore as a free Person, and obtain'd a Pass from some of the Justices there, which is sign'd by Capt. *Robert Vaulx*, and other Justices of *Westmoreland*. It is suppos'd that his Wife is gone with him, and that he will endeavour to escape out of *Virginia*, pretending to be a free Person by the aforesaid Pass. Whoever apprehends the said Servant, so that he be delivered to the Subscriber, shall receive Five Pistoles Reward.

PETER WAGNER.

THE Subscriber, in LONDON-TOWN on *South-River*, has erected a Rope-Walk, and makes all sorts of Cables, Cordage, and Rigging for Ships, and other Vessels; as also Sail-Twine, Long-lines, deep-sea Lines, Housline and Marline; and white Rope for Country Uses. He is provided with an excellent Workman from *London*, well skill'd in all Parts of the Business. Any Gentlemen who may have occasion to purchase, may be furnish'd at said Rope-Walk, or at Mr. *James Dick's* Store in *Annapolis*, and may depend on having what is good and clean; great Pains being taken to bring it to the greatest Perfection.

There is now ready made, all Sizes of Cordage and Running-Rigging, both at *London-Town* and *Annapolis*, to be sold by

STEPHEN WEST, jun.

THE Ship *Winchelsea*, lying in *Severn*-River, *Thomas Cornish* Commander, carrying eighteen Guns, and forty Men; takes in Tobacco consigned to Mr. *John Hanbury*, Merchant in *London*, at *Fourteen Pounds* Sterling per Ton. The said Master will attend on board the said Ship every Friday, where he shall be glad of the Company of his Friends.

AT the Rope-Walk, in the Town of *Chester* in *Maryland*, is made and sold by *B. Hands* and Company, Cables of all Sizes, Cordage of every Sort, for Ships and small Vessels, and all sorts of white and tarr'd Rope for Country use.

RAN away from the Subscriber, living at *Newport* in *Charles-County*, on the first of *May* instant, Two Irish Servants:

One named *Dough Cameron*, he is blind with one Eye, is about 5 Foot 10 Inches high, strong and well-made, and had on a coarse Broad Cloth Pea-Jacket, Osnabrig Shirt and Trowsers; he is a very impudent Fellow, and pretends to be a Sailor.

The other named *Andrew Smith*, about 5 Feet 4 or 5 Inches high, something Pock-fretten, and has a red Beard; he had on when he went away, a long waisted brown Cloth Coat, blue Jacket, a pair of black horney comb Breeches, and a check or white Shirt: He took with him both check and white Shirts, and a pair of double-channel Pumps.

Whoever takes up the said Run-aways, and brings them to their said Master, shall be paid *Five Pounds* Current Money,

By ROBERT HOSKIL.

N. B. It's suppos'd they have a forg'd Discharge with them.

Baltimore-Town, *April* 30, 1748.

THE Subscriber having received Orders to purchase a Quantity of Tobacco, for Paper Money or Bills of Exchange; any Person that has good Yellow or Bright Tobacco, or clean Leaf, to dispose of, may meet Encouragement: The Tobacco to be ready for Shipping by the Middle of *June*, and of the following Weights; viz. Colours, to be from eight hundred and fifty, to nine hundred, nett, clear of the Cask; and Leaf, from nine hundred and fifty, to a thousand, clear of the Cask.

DARBY LUX.

ABOUT the Year 1727, or 1728, one *Francis Mace*, who was then a well-set Lad, about 14 Years of Age, had dark-brown Hair, and a Scar over one of his Eye-brows, came from *London* into this Province, as a Servant, in the Ship *Green*, Capt. *Babb*, who loaded in *Bush* River.

Now if the said *Francis Mace* be living, and will apply to *Jonas Green*, Printer, in *Annapolis*, he will hear of something greatly to his Advantage: And if he is indebted to any Person in this Province, he will hear of a Friend who will extricate him from any Difficulties of that Kind, let his Debts be what they will.

TOBACCO, either Cut and Dry'd, or Pig-tail; the Cut and Dry'd at 1*s.* per Pound, and the Pig-tail at 2*s.* per Pound: Likewise SNUFF, very little (if any thing) inferior to the best *Scotch* Snuff at 3*s.* per Pound, by the Half Dozen. And RAPPEE, both plain and scented. Any Gentlemen, who have Occasion for any Quantities, may depend on being well served by

Their Humble Servant,
JOHN ISEA.

GOLD for Bills of Exchange. Enquire of the Printer.

ANNAPOLIS: Printed by JONAS GREEN, POST-MASTER, at his PRINTING-OFFICE in *Charles-Street*; where Advertisements are taken in, and all Persons may be supplied with this Paper.

PROPERTY OF MARYLAND STATE LIBRARY

Saturday *June* 4, 1748.

The *Maryland Gazette* Extraordinary;

An APPENDIX to N° 162.

All my Commands are easy, short and full,
My Son be proud, be *obstinate*, be dull.
POPE's *Dunciad*.

And to mere Mortals seem'd a *Priest* in Drink.
IBID.

Mr. GREEN,

MY last Motto was taken from the *Dunciad*, and I could not help making bold with a few Lines more on this Occasion. The *Native*'s Performances I imagine, will easily vindicate the two former, and the Confusion, Ill-nature, Passion, and high-flown Principles, contained in a Letter sign'd *Philanthropos*, very ill suiting the benevolent Character assum'd, brought the last one into my Mind. But I enter my *Caveat* against any Application, for the Writers of the opposite Side of the Question, seem so fond of applying Things, that I might otherwise expect to hear them name some *Reverend Gentleman*, and charge me with alledging he had wrote it when he was in drink. 'Tis really surprising to see Men that set up for being such deep *Politicians*, so extremely *unpolite* as to clap the Fool's Cap upon their Friends Heads on all Occasions; even supposing it had been intended for them. Something was said about an *ignorant Lawyer*, and immediately this must be *one of our Lawyers*. The *Freeholder* had likewise made himself merry with some Characters, rather of Weakness and Folly than Vice, and upon this the *Native* and his *Assistant* cry out, that *the Magistrates are abus'd and calumniated*. For my own Part, I have search'd for the Foundation of all this Clamour, and I can find nothing alledg'd against the Magistrates but *Weakness*, in being milled, and even that is only insinuated; no where as I remember expressly said; yet if it had, Weakness is no Crime: I believe the best of Men have been impos'd on some Time or other in their Lives. If you will take the *Native*'s Word for it indeed, *they have been most shamefully insulted and traduc'd in Print expressly by Name*. I am afraid the Gentleman will excuse me with want of *Politeness*, should I speak in *plain English* what this is; but I really must beg Leave to tell him, in the *genteelest* Manner I can, that *he has deviated from the Truth*; for there is no such thing to be found in any of the *Freeholder*'s Letters: And I hope he will not say they were abus'd by having their Names prefix'd to the Order of Court; for according to his Doctrine, that was *preservative of the People's Properties*, and consequently doing them great Honour. I could wish this was the only *Deviation from Truth* that the *Native* had been guilty of, but I find several others equally glaring; where does he find the *Freeholder supposing the People of* Maryland *destitute of common Sense*? Yet this he has asserted in his second Performance. Would not any one have much more reason to retort upon him, that it is he who supposes the People of *Maryland destitute of common Sense*, by endeavouring to impose on them so grossly? Of the same Nature is that where he charges the *Freeholder* with *telling the supreme Magistrate, and the representative Body of the People, that the former had appointed a Person Chair-man of a Court of Justice, and the latter unanimously voted him worthy of the greatest and most honourable Trust in the Gift of the People, altho' he had the Misfortune of being both a Knave and a Fool.* He must have been indeed as *destitute of common Sense*, as the *Native*, and a *very few* more, suppose him to be, to have talk'd in this manner. But the whole Sentence is entirely the *Native*'s own. And were it not for the latter Words *Knave* and *Fool*, no Body could guess what part of the *Freeholder* it was he alluded to. It happens unluckily that the *Freeholder* uses these Words only once; and then he expressly declares, that he is *reasoning only hypothetically*. I'm afraid this last Word was too hard for our *Native*; for if he understood it, how came he to apply the Character described to a particular Person? Will he insist upon it that the Character there described, so exactly delineates the *Chairman* that it must mean him? I cannot think the honourable Gentleman will thank him for the Complement. But it often happens that the Praises of an unskilful *Panegyrist*, turn out the severest kind of *Satyr*.

But this *polite and candid Writer*, has shewn no more Regard to Truth, in his answer to a certain *learned Blockhead, a late half witted Writer*, as he has very *politely* stil'd me. I take it from whence it comes. Such Language may be worthy of him, but I think it altogether unworthy of me to return it in Kind. *This Author* (says he) *in order to prove that the Persons of Judges are not regarded in* England, *instances the Case of* Trefilian, *&c. who were put to Death, not for giving their Opinions on a Point of Law, &c.* Here this *candid Gentleman* has had the Misfortune to make two Slips in one Breath, relating to Matters of Fact. First, I have no where endeavoured *to prove that the Persons of Judges are not regarded in* England; and I defy him to shew any thing tending towards it, by fair Quotation. No impartial Reader can judge what I have said, was in order to prove any more than this, that the Subjects of *Great Britain* have always been allow'd to speak their Minds freely concerning the Behaviour of Magistrates, even those of a much higher Order than County Magistrates; and that they were liable to the same Censures and Punishments for Misdemeanors as other Men. This was the Point he ought to have oppos'd, if he had any thing to offer to the Purpose; for this is the only Liberty that has been claim'd or taken in this Dispute. But he did not chuse to avow so open an Attack upon that valuable Branch of *British Liberty*, and therefore (meanly enough) shifts the Dispute to the Laws made for the supporting of Magistrates in the Execution of their Office. All that he has said in this Matter, concerns Magistrates only in the Execution of their Office, and then they have the Power in their own Hands, let them use it. It is odd to hear a Man complaining that Magistrates have been ill-treated, and yet at the same Time proving that the Laws give them sufficient Power to punish those that mal-treat them. Whose Fault is it pray, if they don't make use of it? Much to the same Purpose is the Instance of Judge *Willes, &c.* which was a Dispute betwixt a Civil and Martial Court about Superiority of Jurisdiction. The second Slip this Gentleman made, relating to Matters of Fact, in the forecited Quotation, was by asserting that *Trefilian was not put to Death for giving his Opinion on Points of Law.* To prove this I shall cite the Words of a sound Lawyer, as I find them in a well-known Law Book of good Authority, giving an Account of this Matter, agreeable to the Facts in the History. "*In King* "Richard *the* 2d's *Time, most of the Judges of* England, *to* "*gratify certain corrupt and pernicious Favourites about the* "*King, being sent for to* Nottingham, *were by Perswasions* "*and Menaces, prevail'd with to give false and illegal Resolu-* "*tions to Questions proposed by them, declaring certain Matters* "*to be Treason, which in Truth were not so: for which in the* "*next Parliament, they were called to an Account; and Sir* "Robert Trefilian, *Lord Chief Justice of* England, *was drawn* "*from the Tower, thro'* London, *to* Tyburn, *and there hang'd.*" Whether this or the *Natives* Authority is most to be depended on, is left for the Reader to determine. One Instance more and I have done. In my former Letter I had said, that *a Native of* Maryland, *a Gentleman of Fortune and unblemish'd Character, exemplary by his Life, and reverend by his Years, presented a Remonstrance to the Commissioners, in the Name of Six Hundred Freeholders, offering Reasons why the Agreement about the Court-House should be delay'd, until the Assembly should determine the Dispute.* In Answer to this, the *Native*, in his usual *polite and candid Manner*, tell us, *that a memorable Remonstrance, containing in Substance nothing, in Nonsense much, was handed in on an ever-memorable Day, by an ever-busy Gentleman of another County at the Head, at the Instance and in the Name of half a Dozen interested Leaders, and twenty-six misguided Freeholders of* Prince-George's. Now would any one imagine from this, that the ever-busy Gentleman (as he calls him) had a Petition

in his Pocket, importing the same in Substance with the Remonstrance, signed by these Six Hundred Freeholders, in whose Name he presented it, and offer'd to produce it. This was truly the Case. It is true, this Gentleman lives in another County, but it is well known that he has a very considerable Estate, both in Land and Slaves, in *Prince-George's* County, and therefore had a Right to concern himself in the public Transactions of the County. The *well-bred Native* calls him an *ever-busy Gentleman*; every Body knows that a *Busy-body* is the very worst of Characters. Sir, I can bear Scurrility to myself, especially when I know and despise the *Person* it comes from; but I confess it raises my Indignation to hear so worthy a Man abus'd, while others, of far inferior Merit, are applauded for Heroes. 'Tis a great Pity he had not *received an awkward Education at a Charity-School*, and been *dubb'd a Justice*, then perhaps this Writer would have applied to him the Character *so nobly set forth by* Horace *in the following* English *Lines*,

The Man resolv'd, and steady to his Trust, &c.

Thus it is when Men inconsiderately shoot in the Dark, they as often hit *a Friend* as a Foe. Our unhappy *Native* seems to be born for a Scourge to his Friends. What Occasion had he to mention *Charity Schools*; for it suited not one Person upon the opposite Side of the Question that ever I heard of; and as it was evidently intended for *a Fling* at *Somebody*, it was natural to look out for some *one* or *more* whom it fitted: However, take Notice that we do not charge his *Hero* with having *imbib'd Grammatical Nonsense in a Hut*, or any where else—But from the high Encomium given the *celebrated Foreigner*, and the scurvy Treatment the *Native* has given his *own Countryman* (as well as other parallel Instances which might be produced) it will plainly appear, that notwithstanding this Author's forward Zeal to vindicate the *Natives of Maryland*, when no Body attack'd them, his Motives for this, was neither Love of Country, nor true Merit, but only with Design to raise Prejudice against his Opponents, and to surprize the unattentive Reader into a Notion, that he was the Country's Champion against Foreigners, who had greatly abus'd it. I find it would be endless to take Notice of all the Misrepresentations in this Writer; indeed the whole of his Performances is little else; enough has been said to shew, that he is not to be depended on when he pretends to give another Man's Sense: Besides what has been offered, what he calls the *Spirit and Substance of the* Freeholder's *Doctrine* is a most flagrant Instance of it; that *Rhapsody* being nothing else but a peice of *dull Buffoonry*; more worthy of a *Pickle-Herring* upon a Mountebank Stage, than of one who pretends to reason upon the *British Constitution*.

I have all along taken it for granted, that this Gentleman is a Native of *Maryland*, as he seems to place great Merit in it, and because I think it is not worth a Farthing where he was born. I dare say Posterity will never have any Disputes about the Place of his Nativity. However, I submit the following Sentence to the Opinion of the *Natives of Maryland*; and from thence let them determine, whether they will chuse to own him for their Countryman, or give up their Claim to him to another *Country*, a little to the *Westward* of *England*. In the Supplement to Numb. 156 of this Paper, the *Native*, or as some People call him, the *Natural*, writes as follows, *Thus we find that our dull and unthinking Fore Fathers, the English, continue as ignorant to this Day, as they were two hundred Years ago, when they inadvertently consented to the Laws before recited.* It would really be curious to see the Premises that such a Conclusion could be justly drawn from; tho' I do not believe it is altogether *orthodox*, to assert, that *our Fore-Fathers, the English were liv'd two hundred Years ago, continue as ignorant to this Day as they were then*; even *Burnet* himself does not carry the Matter this Length; however, *a Court of Inquisition*, or, which is the same Thing, a *Court*, constituted the Judges of *Heresy*, might determine it.

Let us now *enter the Lists* with that incomparable *Sophist*, the flaming *Philanthropos*. He undertakes *to shew that the* Freeholder's *Letters are scandalous and defamatory*; and talks of *Temper, Decency and good Manners*. If using all the *Scurrility* he can think of against his Antagonist, be acting with *Temper, Decency and good Manners*, and proving his Charge, this Writer has succeeded to his Wish. Take a Specimen or two of this cool, well manner'd Gentleman's Stile. *He breathes out Slander and Infamy with a perfect Serenity and Calmness of Mind. O wonderful! Is be of human Race! But for a Party Scribler to take upon him to revile and censure Magistracy, in Insolence and Impudence in the highest Degree. Let the Assembly themselves judge, whether this Scribler has not done all he could to perswade the People their Liberties were in Danger from an Act of the Legislature. One would think the Legislature would rebuke him for this, &c. &c. &c.* Here is Temper, Decency, and good Manners. I wonder what *Ideas* such Words have to these Words. Thro' the whole of his Performance he is either throwing out abusive Language, or calling out to the civil Power to take hold of his Opponent; as if he was afraid of being over-match'd. He brings me in mind of a *Billingsgate Wench*, in the middle of a Scold, crying out for a Constable. The first Proof he brings that the *Freeholder's* Letters are *scandalous and defamatory*, is a piece of *Sophistry*, to prove him guilty of Nonsense. I never heard before, that *Nonsense* was either scandalous or defamatory: For Nonsense, properly speaking, neither affirms nor denies any thing. But to pass this, as of little Importance, let us hear how this subtle Gentleman makes it out. *Ignorantly* (says he) *to misconstrue a Law, or Laws, to serve certain Purposes and By-Ends, is a flaming Contradiction and Nonsense; for it supposes he knows his End in Misconstruing, and yet is ignorant of them.* Now, Sir, the Sophistry of this Criticism consists in applying the Phrase *ignorantly misconstrue* to the *By-Ends*, as well as to the *Laws*, to which it is alone applicable by the Rules of fair Construction. I shall suppose a Man has a *By-End* in View, he meets with a Law that he ignorantly imagines will serve that *By End*, and accordingly he trys to make that use of it; Is it not plain that in this Case, he *ignorantly misconstrues a Law to serve a By End?* Had the *Native* ever *imbib'd a little grammatical Nonsense*, it would have been of some Service to his *Sense* on this Occasion, and shewn him that the Sophi's *flaming Contradiction* (for in all Probability he had it from him) was nothing but mere *Sophistical Smoke*.

It has been the Misfortune of both the *Native* and his *Assistant*, in their late Papers, to produce Objections, for the most Part too with an Air of Triumph, after they had been fully and compleatly answered. I believe every unprejudic'd Man in the Province, nay, even the *Native's* own Friends, was sensible of the absurd and ridiculous Figure his second Letter made, which happen'd to be in the same Paper with the *Freeholder's* Explication of the Act of Assembly, and unluckily plac'd immediately following it. There we find him talking *big*, undervaluing his Adversary, as if he had already conquer'd him, charging him with *having carefully avoided entering into an Application of the Act of Assembly, as a Rock on which he was sure to split*; *asserting that this is the only Act by which County Courts are impowered to tax the People, on any Occasion, or for any Purpose whatever*. He goes on, *Whenever an Attempt of this Sort is made*, (*viz.* to explain the Law in the *Freeholder's* Book of it) *I shall be ready, and I hope able, to refute all such false Arguments and false Reasoning. Nor am I diffident* (he was never charg'd with Diffidence) *of proving, to the Conviction of all Men, my Adversary as ignorant of the Constitution, as he supposed the People of* Maryland *destitute of common Sense, or as they justly esteem him of that and good Manners.* 'Tis impossible to read such *Fustian*, without being put in mind of that Line in *Horace*,

Projicit ampullas, et sesqui-pedalia verba.

I would ask the *few* Admirers this Writer has, what sort of a Figure they thought this *braggadocio* Piece made, after reading the foregoing elaborate Performance? To me it seem'd very much to resemble the *French* Custom last War, of singing *Te Deum* after they had been soundly beaten.

And I think there cannot be a more convincing Proof of the Strength and Validity of the Arguments made use of by the *Freeholder* on that Occasion, than the late Determination of the Lower House of Assembly; who have *resolv'd* that Order of Court, against which he was disputing, to be *illegal and oppressive, and warranted by no Law whatever*. This was the very Thing the *Freeholder* undertook to prove; and having done it clearly, upon the Principles of *Liberty*, and the *British Constitution*, he drop'd his Pen; depending upon the Strength of the Foundation he had build upon, and it has stood secure amidst the Cavilling rais'd against it, like a House upon a Rock; which all the outragious Beating of the Wind and Waves were not able to move. Whoever heard the Debates upon this Affair must be further convinc'd of this Truth; and the Names of H—mm—nd, H—rr—s, and T—lsh—n, all *Natives of Maryland*, will be ever remembred with Honour, by the true Friends of Liberty, for their noble Behaviour on this Occasion. But I proceed.

Next

Neither has that subtle *Sophist*, *Philanthropos*, been less unfortunate in being too late with his Objections. He brings one in the following Manner. *Now, in answer to this, he should have first shewn, to make the Order of Court extraordinary, that no such Thing has been done before by any Court in this Province, for if there has, then this Order is not extraordinary.*

I call this Writer a *subtle Sophist*, and I think the above Citation will vindicate me in it. He puts it upon his Adversary to prove a *Negative*; and I will venture to say, such a Negative as is impossible to be proved. For how is it possible to prove that no such Order was ever made before by any Court in this Province? I know of no other Way, than by exhibiting to the public View, a Copy of every Order of Court that ever was made in the Province; and this is absolutely impossible: For granting we had whole *Magazines of Paper*, and an *Army of Printers* at Command, yet many Orders of Court, that have been made in this Province, must be lost by Accidents of Fire, *&c*; and if all that are to be found now, were to be produc'd, tho' there should appear no such Order amongst them, still the Proof would be incompleat, because it would not appear from thence, that *never any such Order was made before*, seeing many Orders have been made which are now destroy'd. But this Objection, so far as it was possible to answer it, was answer'd before it was made. It is asserted, in the last *Freeholder*, *that the Law is now forty Years old, and this is the first Time ever any such Power was pretended to.* It was his Opponent's Business to have shewn the contrary.

To avoid being tedious I shall mention only one Objection more, which was likewise answer'd before it was made. *It would have been worthy of him to have shewed, that the Justices of our Mother Country, or the Overseers of the Poor, are otherwise limited than by general Restraint.* The *Freeholder* had perform'd the very Thing desir'd, and proved, by quoting the Act of Parliament which makes Provision for the Poor, that the Justices are tied down both to a *limited Sum*, and the Appropriation of it. Yet this Writer takes it for granted the Case is otherwise, and reasons upon it; from whence one may see how well he had inform'd himself in the Subject he undertook to write upon. I purposely avoid the *unmeaning* Nicknames of *Party Scribler*, and such like Trash; these being equally applicable to all of us who have wrote upon this Subject. There is nothing more common, than for one Lady of Pleasure to call another Wh—re, yet it does not become the *Kettle* to call the *Pot* Black A—se.

It remains now to examine the Cavils rais'd against what the *Freeholder* has said concerning the *British Constitution:* And in doing of this, I do not propose to follow the *Sophist* thro' all his Labyrinths of Quibble and Confusion: I shall content my self with stating the main Points in Dispute, and defending what the *Freeholder* has said; as I think he writes like a *Freeman*, and breathes the true Spirit of *British Liberty*. I shall support what I have to say by that *great Authority*, which, the *Native* says, *has never yet been disputed*, tho' by the Bye that is not true. The *Freeholder* has defin'd the Constitution to be *an original Contract betwixt the People and their Rulers*, and he has defin'd it justly; Mr. *Lock* will bear him out in it, for he asserts and proves, that "it was this alone which did, or could give "Beginning to any lawful Government in the World." The same great Writer in another Place shews "that the Reason "why Men enter into Society, is the Preservation of their Pro"perty; and the End why they chuse and authorize a Legi"slative is, that there may be Laws made, and Rules set, as "Guards and Fences to the Properties of all the Members of "the Society; to limit the Power, and moderate the Domi"nion, of every Part and Member of the Society." I shall add, by way of Comment upon this, the Words of the most masterly Performance, that ever was wrote upon the *British* Constitution. * "We are not to wonder, however, if Men "do not look up to *this Original of Government*, nor trace "these Consequences from it. In most Countries, in the In"stitution of Governments, two great Powers have been u"sually given, and too great Confidence repos'd, either at first, "or in Process of Time. These Powers have subsisted, have "been confirmed by more Time, and increas'd by the very "Nature of Power, which is the properest Instrument of its "own Propagation. But the *original Composition*, for want of "being express'd, or sufficiently imply'd, or frequently recur'd "to, in the Forms of the Government, hath been forgot, or "hath grown so obsolete, that they, whose Interest required "that no such Thing should be believ'd, have thought themselves at Liberty boldly to deny it. But the Subjects of *Great* "*Britain* have been more happy; our original Contract hath "been recur'd to often." Thus far my Author. Yes, *Sir*, the Subjects of *Great Britain* have constantly kept their original Contract in view; and agreeable to the true Intention of it, have justly claim'd every Thing as their Rights and Privileges, which was necessary *for the Preservation of their Properties*. These Rights and Privileges they both claim'd and enjoy'd, before any written Laws gave them a Title to them, as the *Freeholder* has made clearly out in his third Letter. It is from this *Root* that the *Tree of Liberty* has flourished in *Britain*, beyond that of any other Nation. The Branches of this Tree, indeed, have frequently been lopp'd, nay, the very *Root* has been struck at, by the Madness and Ambition, sometimes of *foreign*, but oftener that of *domestic*, Enemies; yet the *English Oak* has always prov'd too hard for them; it has quickly branch'd out again, and flourished afresh; tho' our Ancestors have been sometimes oblig'd (if I may be allow'd to use the Expression) to water it with their Blood. I am not without Apprehensions that the *phlegmatical Philanthropos* will be very much disgusted at so bold an *Allegory*; as he found fault with so plain and easy a *Metaphor* as the *Bulwark of the* British *Constitution*, for being too pompous.

Had the Writers on the opposite Side of the Question kept this *original Agreement* and the Design of it in View, it might have prevented them from blundering about like Men *blindfolded* or *in Drink*, when they talk'd of the Constitution; for as my last cited Author observes, "they must have been blind"ed by Ignorance, or Passion, or Prejudice, who did not al"ways see that there is such a Thing necessarily, and in the "very Nature of our *Constitution*; and that they might as well "doubt, whether the Foundations of an antient, solid Build"ing, were suited and proportion'd to the Elevation and Form "of it, as whether our *Constitution* was established by *Compo"sition* and *Contract*." Is not this making the *Constitution*, settled by *original Contract*, the *Basis of the whole*? These Gentlemen, who raise a foolish Laugh at such Ways of Speaking, ought to consider, that if bold and emphatical figurative Expressions, be too strong for weak and squeamish Brains, that is no reason why they ought not to be us'd. It is very probable the *Snail*, whose Delight is in *crawling* along the Ground, would object, in the very same Manner, to the Use of *Wings*.———

From what has been said it will appear, that Parliaments are not the Constitution, (as the Sophist asserts) but that they take their Form, Powers and Existence from it: That they cannot alter that Form, or *alienate these Powers*, either from one Branch of the Legislature to another, or to any other distinct Body of Men whatever, without breaking thro' that *Agreement* of the Society, (to be govern'd after such a particular Manner) which constituted them; very aptly termed by the *Freeholder* the *Basis of the whole*. I expect to be told, that this is taking upon me to *dictate to the Assembly what they cannot do*: But, *Sir*, I am warranted by that *great Authority*, *which has never yet been disputed*, to say, that "it is a Mistake to think, that the supreme "legislative Power of any Common-wealth can do what they "will; their Power, in the utmost Bounds of it, being *limited to* "*the public Good* of the Society." I shall suppose for Instance, that the Representatives of the People agreed to a perpetual Law, placing an *unlimited Power* in the supreme Magistrate, or in any Set of Men appointed by him, to tax the People for whatever they might think necessary for defraying the *Charges* of Government in general. I desire to know, whether such an Act would be agreeable to the *British Constitution*? The Gentlemen I am reasoning with, must say it would, consistent with their Principles. But I desire it may be considered, that the Representatives of the People, having only a *delegated Power* for a certain Time, are bound to deliver over *all that Power* they were intrusted with, at the Expiration of that Time, back again to the People; who may intrust the same Men again, or others, if they think proper: Now it being a fundamental Part of that *Agreement* which constituted the Society under the present Form of Government, that *the People should not be taxed without their own Consent*, or their Representatives; should their Representatives agree to put that Power of Taxing on any other Footing, how could they deliver back that Power to their Constituents, at the Expiration of the stated Time, which was the very Condition of their being intrusted with it? From the Time that such a Law was in Force, the People might be taxed at any Time, and to any Extent, *without their own Consent, or their Representatives*, which was the great Security they had for the *Preservation of their Property*, by the *original Agreement*, the *only* Reason

* *Dissertation upon Parties.*

Reason (according to Mr. *Locke*) *for entring into Society.* I have fixed this Point only with respect to the Representatives of the People, because I think it is principally their Duty to watch over the *Liberties* of the *People*. But the great Author last mention'd calls an Act of this Sort, *a Breach of Trust* in the whole legislative Body. " The legislative Acts against the Trust reposed " in them, when they endeavour to evade the Property of the " Subject, and to make themselves, or *any Part of the Com-* " *munity*, Masters, or arbitrary Disposers of the Lives, Liber " ties, or Fortunes of the People. Whensoever therefore the " Legislative shall transgress this fundamental Rule of Society, " and either by Ambition, Fear, Folly, or Corruption, endea- " vour to grasp themselves, *or put into the Hands of others*, " an absolute Power over the Lives, Liberties, or *Estates of the* " *People*; by this *Breach of Trust*, they forfeit the Power the " People had put into their Hands, for quite contrary Ends; " and it devolves to the People, who have a Right to resume " their original Liberty." It is true, the Legislative is *bound by nothing but the Laws of Reason, the fundamental Rule of Society* (viz. *the Preservation of Property*) being built upon it; but, in Strictness of Speech, it is not true, that they *are accountable to no Power on Earth*; for they are accountable to the *Community*, who are to judge whether they have acted agreeably to this *Law of Reason*, apply'd to the *Fundamental Rule of Society*; and tho' I grant *there is no Power on Earth* (that is, no Body politic, intrusted by the Society) *superior to the legislative Power*, yet I am licens'd by the same Author to say, that *when the Legislative act against their Trust, the People have a Right to appeal to Heaven, there being no equal Judge upon Earth.* This is the Doctrine held *by one of the greatest Sticklers for Liberty, as well as one of the most consummate Judges, that his own or any other Age ever produc'd*; and it is surprizing (if one ought to be surpriz'd at any thing the *Native* does) that a Man who acknowleges this, should oppose the infallible Consequences of it. There is no other way of accounting for it, but by supposing that he had dip'd superficially into the *Treatise on Civil Government*, and taken the Character of it by *Hear-say*, without so much as knowing that the Author founded his whole Doctrine on *original Compact*; for this Expression the *Native* has laugh'd at, and try'd to turn into Ridicule in his third Letter.

Let us now apply what has been advanc'd to the present Dispute. It is insisted upon by some, that an Act of the Legislature of this Province, places an *unlimited Power* of taxing the People in County Courts, for whatever they shall think proper to call *public Charges*. This is *honestly* acknowleg'd by the *Native*, tho' endeavour'd to be evaded by the *Sophist*, for (says he) are they not plainly limited by the Charges of the County? *Sir*, this is only playing upon Words; for so long as the Magistrates, or those who have the Appointment of them, are to be the *sole Judges* what must be call'd the Charges of the County; this is in reality no Limitation at all. Such a Power wou'd be both *uncontroulable* and *unlimited* with respect to the People, and all the *ruinous* Consequences the *Freeholder* has shewn may flow from it, under a bad administration, stand *untouch'd* by this Reply. It would be, to all Intents and Purposes, giving away *an absolute Power over the Estates of the People*, which Mr. *Lock* calls *a Breach of Trust in the Legislative*; or in other Words, a Breach of the *Constitution*. But it is with the utmost Injustice, that the *Freeholder* is charg'd with saying, that the Legislative of this Province had done this, *and that he had done all in his Power, to perswade the People their Liberties were in Danger, by an Act of the Legislature*; for on the contrary, he has all along asserted, and at last proved, that they have given no such Power as was contended for, by any Act whatever; so that in Fact, it is those that contend they have given away such a Power, *who clamour against the Legislature, and endeavour to bring it into Contempt.* Well, but says the Sophist, *are they not likewise under the Ties of Oaths to act uprightly?* Alas, *Sir*, this would be but a poor Security for Mens *Properties*, to make them depend upon the *Integrity* of Men appointed by a wicked Administration; which no Man can tell how soon may be the Case. We had a sad Instance, how little *Oaths* of that Kind are to be trusted even in *Kings*. In the Reign of *James* the 2d, he took the Coronation Oath; but it is well known how shamefully he broke it. And this leads me to what our *sophistical* Politician has said concerning this King, and the Revolution that happen'd in his Time; which, if I am not mistaken, will appear something extraordinary, especially as our present happy Establishment is founded upon the *Settlement* made by the Revolution. He asks first, *Pray, Sir, was not the Birthright of* James *the Second an inherent Right?* Every Mans Birthright is an inherent Right; but King *James*'s Right to the Crown was not a *natural Right*, the Crown of *England* having been rendered *hereditary* by the Laws of the Society; for Dominion cannot descend by *natural Right of Heirship*, as the Author I have so frequently cited, has made out beyond the Power of Cavil. Again, *Was it not his Property and Privilege to rule the Nation?* His *Privilege* it was to rule the Nation, agreeable to the Rules of the Society, yet he might and did *forfeit it* by acting contrary to them. But the Word *Property*, apply'd to *Rule* and *Dominion*, (in the Gentleman's own Language) is a piece of *flaming Nonsense*; for no Man can have a *Property* in any thing (according to *incontrovertible Authority*) but what concerns *his own* Life, Liberty or Fortune; and therefore to say, that it was any one's *Property* to *rule* over others, must be downright Nonsense. But if I am not deceived, there is something *worse* than Nonsense that follows. *Now if it was his Right and Privilege, how could this be taken away without breaking thro' that Constitution, which* WAS THE BASIS OF THE WHOLE? Every Body knows, that such Questions are made use of by way of strong Affirmations: Here then this Author affirms, that the Convention-Parliament, by placing the Prince of *Orange* upon the Throne, in the Room of King *James*, depriv'd him of his Right and Privilege, and broke the Constitution; that is to say, the Revolution was brought about by an Act of Injustice, and against the Laws of the Land. Were I to follow this Gentleman's Example, I might call upon the Legislature on this Occasion, to *rebuke him* for so daring an Assertion, to give it no worse a Title; for there are not wanting Instances of Delinquents having been brought upon their Knees before the House of Commons, for Expressions of the same pernicious Tendency; but I really believe the *poor Man* did not know what he was saying. This, *Sir*, has been the Cant of the *high-flying Tories* (more especially the *Clergy* among them) ever since, as well as before, the Revolution. They have talk'd of *divine, hereditary, indefeasible Right*, and I know not what Jargon: They have preach'd up the slavish Doctrine of *Passive Obedience* and *Non-Resistance*; and, as *Pope* beautifully expresses it,

The Right divine of Kings to govern wrong.

In Consequence of this chimerical *divine Right*, Men of these Principles have always denied any *inherent Rights* in the People to Liberty, and the Preservation of their Property from an *original Contract*; they have broke many *Jests* upon the Phrase, and us'd many *mean* Endeavours to turn the *Constitution* into Ridicule. I am sorry to observe, that both the *Native* and his *Assistant*, evidently aim at the same Thing, only in a different Manner; the one like a hot-headed *High-Church Priest*, and the other like a hair-brain'd Merry-Andrew or *Mad Tom*. You, Mr. *Green*, agreeable to an Injunction given you by a Set of Gentlemen, that call themselves the *Loyal Club*, have, (by a Letter printed in Numb. 153 of your Gazette) given the Province to understand, that they are the Patrons of the Writers on that Side of the Question: If their Loyalty consists in such Principles, in my humble Opinion, they do those a great deal of Honour, whom they charge with the want of it.——But I must not omit the last Question propos'd by the learned *Philanthropos*, lest he should alledge, I had past over *his Wit*; And with the Answer to it I shall conclude. *And if the Constitution was then dissolved, what becomes of the Basis?* To carry on the Similitude in a former Citation, I reply, That the *Basis* or Foundation of the *antient solid Building* remain'd firm, tho' the *Top* happened to tumble down; and surely the *Proprietors* had a Right to erect a *new one* in its Stead.

I am, &c.

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ERRATA.

Page 2, Col. 2, lin. 45, for *subtile* read *subtich*.

Line 60, read *braggadocio*.

Line 73, read *built*.